

**RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 8
SHERIFF'S RECORDS
ALL SHERIFF'S, JAILS AND REGIONAL JAILS**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

APPROVED: Conley Edwards, State Records Administrator

EFFECTIVE SCHEDULE DATE September 29, 2008

PAGE 1 OF 11 PAGES

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, audio-visual, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. All reformatting must be done in accordance with The Library of Virginia Guidelines for Electronic Records and Microfilm and with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 2 OF 11 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Administrative Records</u> Documents the common functions and administration of various types of offices; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. GS-19, Administrative Records</i> for retention guidelines.
<u>Automotive Operations: General</u> Documents operation and maintenance, not otherwise listed on this schedule, of office's vehicles.		Refer to <i>General Records Retention and Disposition Schedule No. GS-16, General Services Records</i> for retention guidelines.
<u>Automotive Operations: Radar and Tuning Fork Calibrations Files</u> Documents the calibration of radar equipment and related tuning or calibration equipment.	100625	Retain until superseded by a new calibration, then destroy.
<u>Automotive Operations: Radar Equipment Records</u> Documents the maintenance and service of radar equipment.	100626	Retain for life of equipment, then destroy.
<u>Automotive Operations: Speedometer Calibration Files</u> Documents the calibration of speedometers in sheriff's office vehicles.	100627	Retain until superseded by a new calibration, then destroy.
<u>Automotive Operations: Logs, Vehicle</u> Documents the history, assignment, use and status of sheriff's office vehicles.	100628	Retain 2 years after completion, then destroy.
<u>Community Services Program Files</u> Documents the public outreach and community services activities of the sheriff's office.	100629	Retain 1 year or longer if administratively useful, then destroy.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 3 OF 11 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Electronic Records</u> Documents records created or stored in any electronic format; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. GS-23, Electronic Records</i> for retention guidelines.
<u>Expunged Records</u> This series consists of police or sheriff's records that have been expunged and sealed by court order.	000120	Retain according to provisions of court order, or if no specific time period is stated, retain for 3 years after court order ends then destroy in accordance with No. 8 on the schedule cover page, <i>Code of Virginia</i> , §§ 19.2-392.2.
<u>Expungement Orders</u> Documents receipt of and compliance with orders to expunge records of the sheriff and/or jail.	100630	Retain 1 year after completion of expungement, then destroy in compliance with No. 8 on schedule cover page.
<u>Fiscal Records</u> Documents the expenditure of funds, accounting for funds, routine purchases and other activities of an accounting or financial nature; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. GS-2, Fiscal Records</i> for retention guidelines.
<u>Home Detention, Electronic</u> Documents the application and use of electronic monitors for inmates selected for home detention.	100631	Retain 3 years after removal of monitor, then destroy.
<u>Incident Reports – Other than Jail</u> This series documents the reporting, investigation and actions taken in regard to incidents at facilities where the Sheriff's Department provides security, such as the Courthouse and Sheriff's Department Offices. Materials may include paper reports and forms, photographic evidence and magnetic or electronic surveillance recordings. Can include civilian and/or employee incidents.	005689	Retain 3 years after last action, then destroy.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 4 OF 11 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Inmate Work Program</u> Documents control of and participation in inmate work programs.	100632	Retain 3 years, then destroy.
<u>Internal Affairs: Complaint Files - Founded</u> Documents complaints made against a member of the sheriff's staff that resulted in additional investigation or charges filed.	100633	Retain 5 years after employee termination or closure, whichever is greater; then destroy in compliance with No. 8 on schedule cover page.
<u>Internal Affairs: Complaint Files - Unfounded</u> Documents complaints made against a member of the sheriff's staff that were investigated and determined to be without merit.	100634	Retain 3 years after close of investigation, then destroy in compliance with No. 8 on schedule cover page.
<u>Inventory, Weapons</u> Documents the inventory and control of weapons and ammunition owned by the sheriff's office.	100635	Retain until superseded, then destroy.
<u>Jail Records: Booking Sheets</u> Documents the initial intake of an inmate into the jail.	100636	Retain 3 years, then destroy.
<u>Jail Records: Canteen, Commissary or Kitchen Records</u> Documents the routine operations and control of jail canteens, commissary and kitchens. Includes inventory control records, inmate accounting records and other related files.	100637	Retain 3 years or until audited, whichever is longer, then destroy.
<u>Jail Records: Court Docket Lists</u> Documents the names and occasions for inmate or employee court docket entries.	100638	Retain 6 months, then destroy.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 5 OF 11 PAGES

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<u>Jail Records: Court Orders and Abstracts</u> Documents receipt of court orders or abstracts (except expungements) and actions taken pertaining to inmates or employees. Also refer to series 100630, "Expungement Orders and Records."	100639	Retain as long as administratively necessary, then destroy.
<u>Jail Records: Incident Records</u> Documents the reporting, investigation and actions taken in regard to inmate or employee incidents.	100640	Retain 3 years after last action, then destroy.
<u>Jail Records: Inmate Classification Records</u> Documents the security or medical classification of inmates prior to assignment within jail areas.	100641	Retain 3 years after classification, then destroy.
<u>Jail Records: Inmate Drug Testing Records</u> Documents any in-house drug testing of inmates while at the facility.	100642	Retain 3 years after testing, then destroy.
<u>Jail Records: Inmate Grievances</u> Documents the receipt of, investigation of and actions taken in regard to inmate grievances.	100643	Retain 3 years after last action, then destroy.
<u>Jail Records: Inmate Headcount Sheet</u> Required for certification and for reporting inmate populations to Compensation Board.	100644	Retain 3 years, then destroy.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 6 OF 11 PAGES

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<u>Jail Records: Inmate Incarceration Records</u> Documents the history of the inmate and staff interaction with inmates during the period of incarceration at the facility. Also, refer to 100657, "Medical Records: Inmate Medical Records."	100645	Retain 3 years after inmate departure, then destroy.
<u>Jail Records: Inmate Medical Appointments</u> Documents schedule of inmate medical appointments both in-house and external.	100646	Retain 3 years after last entry, then destroy.
<u>Jail Records: Inmate Program Records</u> Documents the education, recreation and miscellaneous programs that inmate participated in while at the facility.	100647	Retain 3 years, then destroy.
<u>Jail Records: Inmate Purchase Records</u> Documents the control and use of inmate funds to purchase canteen/commissary items or other services.	100648	Retain 3 years or until audited, whichever is greater, then destroy.
<u>Jail Records: Inmates Released on Bond Before Classification</u> Documents the release of inmates prior to completion of the classification process.	100649	Retain 3 years after release, then destroy.
<u>Jail Records: Inspections</u> Documents the routine inspection of facilities, programs and inmates including findings and actions.	100650	Retain 6 months after completion of next inspection, then destroy.
<u>Jail Records: Jail Register</u> Documents the cumulative booking and release of inmates. A master listing of inmates by initial booking date.	100651	Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 7 OF 11 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Jail Records: Parole Notices</u> Documents the receipt of parole notices and actions taken in regard to the notice.	100652	Retain 3 years, then destroy.
<u>Jail Records: Personal Property Records</u> Documents the chain of custody and location of inmate personal property.	100653	Retain 1 year after inmate departure, then destroy.
<u>Jail Records: Revenues and Expenditures Reporting</u> Documents sources and amounts of revenues and expenditures associated with facility operations, as reported to the Compensation Board.	100654	Retain 3 years, then destroy.
<u>Jail Records: Security Logs and Records</u> Documents routine accomplishment of security requirements at the facility.	100655	Retain 3 years after last entry, then destroy in compliance with No. 8 on schedule cover page.
<u>Law Enforcement Records</u> Documents the actions of the Sheriff's Office in regard to law enforcement activities.		Refer to <i>General Records Retention and Disposition Schedule No. GS-17, Law Enforcement Records</i> for retention guidelines.
<u>Logs</u> Documents the occurrence of certain events, including visitors, radio dispatches, safety checks for equipment and buildings, and courtroom activities. This series refers to miscellaneous logs not otherwise listed on this schedule.	100656	Retain 3 years after last entry, then destroy in compliance with No. 8 on schedule cover page.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 8 OF 11 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Medical Records: Inmate Medical Record</u> Documents the medical treatment of inmates while at the facility.	100657	Retain 10 years after last treatment, then destroy in compliance with No. 8 on schedule cover sheet.
<u>Medical Records: Medication Logs</u> Documents the routine issue of prescribed medications throughout each day.	100658	Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.
<u>Medical Records: Nursing Reports</u> Documents the routine actions and observations of the nursing staff.	100659	Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.
<u>Medical Records: Physician Verbal Entry List</u> Documents physicians comments to staff and patients while performing examinations or giving treatment.	100660	Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.
<u>Medical Records: Prescription Records</u> Documents the prescription of medications to inmates while in the facility.	100661	Retain 3 years after last entry, then destroy in compliance with No. 8 on schedule cover page.
<u>Medical Records: Psychiatric Referral Records</u> Documents inmate referral for in-house or external psychiatric examination and/or treatment.	100662	Retain 3 years after last entry, then destroy in compliance with No. 8 on schedule cover page.
<u>Personnel Records</u> Documents the management of staff and administration of benefits to staff; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. GS-3, Personnel Records</i> for retention guidelines.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 9 OF 11 PAGES

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<u>Photographs of Arrested Individuals</u> Documents the physical appearance and identification of inmates.	100663	Transfer to series 100645 "Inmate Incarceration Records."
<u>Pre-Trial Release Program</u> Documents the pre-trial release of inmates without bond pending next appearance.	100664	Retain 3 years, then destroy.
<u>Process Records: Affidavit, Sheriff's</u> Documents the receipt or recording of an affidavit by or at the sheriff's office.	100665	Retain 21 days, then destroy.
<u>Process Records: Eviction Notices</u> Documents the receipt and service of eviction notices.	100666	Retain 6 months, then destroy.
<u>Process Records: Levy Records</u> Documents the receipt and service of levies to foreclose, seize and/or sell property.	100667	Retain 6 months, then destroy.
<u>Process Records: Processes</u> Documents the receipt and services of a process (legal action) against an individual, family, firm or other entity.	100668	Retain 6 months, then destroy.
<u>Process Records: Residence Verification Records</u> Documents the receipt of a request for and subsequent verification of address.	100669	Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 8

SHERIFF'S RECORDS

ALL SHERIFF'S, JAILS AND REGIONAL JAILS

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 10 OF 11 PAGES

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<u>Process Records: Warrants - Executed, Copies</u> Documents the receipt of and execution of a written order of a court.	100670	Retain as long as administratively necessary, then destroy.
<u>Process Records: Warrants - Unexecuted Felonies</u> Documents felony warrants issued by court which have not been executed. Does not include capital murder warrants or unexecuted criminal process whose preservation is deemed justifiable by court. Refer to <i>Code of Virginia</i> , §19.2-76.1.	100671	Retain 7 years after date of issuance, then submit report of unexecuted warrants to Commonwealth's Attorney to be submitted to circuit court in petition to destroy. Upon court order, destroy in compliance with No. 8 on schedule cover sheet.
<u>Process Records: Warrants - Unexecuted Misdemeanors and Other Criminal Process</u> Documents misdemeanor arrest warrants, summonses and capias and other criminal processes which have not been executed. Refer to <i>Code of Virginia</i> , §19.2-76.1.	100672	Retain 3 years after date of issuance, then submit report of unexecuted warrants to Commonwealth's Attorney to be submitted to circuit court in petition to destroy. Upon court order, destroy in compliance with No. 8 on schedule cover sheet.
<u>Surveillance Recordings</u> This series documents the routine monitoring of courts, jails and other facilities. Recordings may be audio or video in electronic or magnetic format.	100673	If not required to support known investigations or litigation, retain 30 days after recording, then reuse or destroy. Disposal reporting on <i>Certificate of Records Disposal</i> (RM-3) not required.
<u>Training Records</u> Documents completion of courses by employees, mandated or optional, related to their job requirements.		Refer to <i>General Records Retention and Disposition Schedule No. GS-3, Personnel Records</i> for retention guidelines.
<u>Transportation of Prisoner Records</u> Documents the movement of prisoners from one place to another. Includes times, dates, employee in charge, prisoners transported, locations where prisoners were transported, etc.	100674	Retain 3 years, then destroy.

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GENERAL SCHEDULE NO. 8
SHERIFF'S RECORDS
ALL SHERIFF'S, JAILS AND REGIONAL JAILS**

EFFECTIVE SCHEDULE DATE September 28, 2008

PAGE 11 OF 11 PAGES

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<u>Vehicle Property Custody Records</u> Documents the control and status of inmate or citizen vehicles in the custody of the sheriff's office or jail.	100675	Retain 3 years or until audited, whichever is greater, then destroy.
<u>Victim Records</u> Documents the status and locations of victims of crimes and any payments made through state or local programs.	100676	Refer to <i>General Records Retention and Disposition Schedule No. GS-17, Law Enforcement Records</i> for retention guidelines.